

REMARKS

Claims 13, 15-16, 18, 20-21, and 36-40 are pending in the application. Claims 1-12, 14, 17, 19 and 22-35 have been canceled. Claims 13, 15, 16, 18, 20-21, 36 and 37 have been amended. Support for the amendments is present throughout the specification and claims as originally filed. No new matter has been introduced by this amendment. New claims 38-40 have been added. Support for the new claims is present throughout the specification and claims as originally filed. No new matter has been introduced by the addition of these claims.

Claim Rejections Under 35 U.S.C. § 102(e)

Claims 13 through 36 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Jerome *et al.* (US 2003/0211634).

Jerome *et al.* do not teach or suggest an analytical test device comprising a test strip having a control results zone and a test result zone; an analyte detection means comprising multiple particles; and a control detection means, wherein the control detection means comprising at least two detectable dye reagents, and wherein at least one first detectable dye reagent is mobilizable by the applied liquid sample and at least one second detectable dye reagent is not substantially mobilizable by the applied liquid sample.

Reconsideration and withdrawal of the rejection is respectfully requested.

Conclusion

In view of the above amendments and remarks, the Applicants believe that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Attorney would expedite prosecution of the application, the Examiner is urged to contact the undersigned.

Respectfully submitted,
FOLEY, HOAG LLP

/Gregory J. Siczekiewicz/
Gregory J. Siczekiewicz
Reg. No. 48,223
Attorney for Applicants

Customer No: 25181
Patent Group
Foley, Hoag LLP
155 Seaport Blvd.
Boston, MA 02210-2600
Tel. (617) 832-1000
Fax. (617) 832-7000

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